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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1341 OF 2006
IN
CRIMINAL APPEAL NO. OF 2006

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's Order	Court's or Judge's Order

Mr.P.A.Pol for applicant-state.
None for respondents.

CORAM : R.S. MOHITE, J.

DATE : 27TH NOVEMBER, 2007.

P.C. :-

. This is an application filed by the applicant for leave to appeal against the judgment and order dated 17th December, 2005 passed by III Ad-hoc Additional Sessions Judge, Satara in Sessions Case No. 64 of 2005. The trial court has acquitted the accused for the offence punishable under section 306 r/w. 34 of Indian Penal Code. The deceased was young boy called Bajirao Pawar who committed suicide

by hanging on 1st May, 2004. The record indicate that three days before the suicide there was a exchange of abuses between the deceased and the accused who were neighbours and having enimical relations. It was the case of the accused that Bajirao was teasing her daughter. In fact the accused has filed police complaint and the Koregaon police called Bajirao on the day of the incident. The allegation against the accused does not prima facie indicate that the accused abetted deceased Bajirao to commit suicide. The prosecution has not proved the abetment. In the light of this, not a proper case to interfere in an appeal against an order of acquittal. Hence leave refused. Application dismissed. Consequently, appeal papers to be filed.

(R.S. MOHITE, J.)